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ABSTRACT

This paper explores the issue of sex bias in a contemporary major theory of moral development, cognitive moral theory. It explains critical reactions by Carol Gilligan and others questioning whether cognitive moral theory adequately accounts for female moral reasoning and behavior in its theory and research procedures. Several general characteristics of moral responsiveness that reflect observations of differences in how men and women construct the relation between self and others--formulated by Gilligan and Lyons--are included. The paper summarizes and evaluates the responses to such criticism by Lawrence Kohlberg, a leading proponent of cognitive moral theory. Also discussed are the findings of Walker (1982), who investigated sex differences in moral reasoning by conducting a literature review of 54 studies employing the Moral Judgment Interview and 24 studies employing the Defining Issues Test. A review of Nunner-Winkler's critique of Gilligan and the response of Kohlberg et al. is presented to illustrate that cognitive moralists have listened to the critique. A summary discusses the overall sufficiency of Kohlberg's response to criticism of sex bias in cognitive moral theory and notes problems remaining in the area of sex differences in moral behavior and moral development. (Author/NB)

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RESPONSES TO SEX-BIAS CRITICISM IN COGNITIVE MORAL THEORY

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Abstract

The paper explores the issue of sex-bias in a contemporary major theory of moral development, cognitive moral theory. It explains critical reactions by Carol Gilligan and others questioning whether cognitive moral theory adequately accounts for female moral reasoning and behavior in its theory and research procedures. The paper also summarizes and evaluates the responses to such criticism by Lawrence Kohlberg, a leading proponent of cognitive moral theory. A summary discusses the overall sufficiency of Kohlberg's response to criticism of sex-bias in cognitive moral theory and notes problems remaining in the area of sex differences in moral behavior and moral development.

Patrick Socoski

Responses to Sex-bias Criticism in Cognitive Moral Theory

The question of sex-bias in moral development theory has been dominated by criticism of Kohlberg's theory of cognitive moral development. In particular, this criticism charges that the conception of the moral domain set forth by cognitive moral theory is too limited or myopic. This charge has been made most forcefully by Carol Gilligan, who also has directed it at other predominant theories of personality development. Gilligan and her collaborators believe that theories such as cognitive moral theory are biased in favor of male moral development. She argues that an exclusion of work on female moral development has occurred as a result of the prevalence of male theorists and of males in research samples. This is illustrated in Gilligan's summary of the reassessment of the last decade which has occurred both in education and developmental psychology. Gilligan questions the negative consequences which could obtain as a result of the exclusion of women from the research samples. She states:

> . . .if the criteria for development are derived from studies of males, and these criteria are then used to measure the development of females, the question being asked is how much like men do women develop.[1]

The recognition of this exclusion prompted Gilligan to "demonstrate how the group left out in the construction of theory calls attention to what is missing in its account."[2]

Gilligan and her associates began in 1976 to study the way people resolve moral dilemmas.

In order to widen the scope beyond justice reasoning or reasoning about rights, Gilligan chose "real-life" moral dilemmas. These dilemmas typically pivot on the antagonism or opposition between notions of care for the other and care for the self. The responses compiled by Gilligan et al., have led her to stipulate that there is an orientation of care and responsibility which is not contained in the justice orientation underlying Kohlberg's standard hypothetical dilemmas.

Gilligan (1982) and Lyons (1982) have formulated several general characteristics of moral responsiveness that reflect their observations of sex differences in the way in which men and women "construct the relation between self and others." A synopsis of key features of these follows.

In collecting interview data, Gilligan and Lyons began to note a "psychological necessity," which they regarded as related to the interests and needs of the others. They found this necessity different from moral obligation, but related to it. Specifically, it concerns "the psychological or emotional pressures that an actor may feel in the midst of a moral dilemma."[3]

What Gilligan means by this "other" involves considering the particular content of the dilemmas. Here, in whatever fashion, the needs of the "other" are responded to in their own terms. For Gilligan, the needs and feelings

of the other compel the actor to respond. A moral judgment, as Gilligan conceives it, would involve meeting the other's needs even though they may not be based upon a right to a claim. The important factor in the response to a dilemma, then, is human connectedness. Lyons has elaborated upon this point; she stresses that an actor may regard human relationships as intrinsically valuable, and that their content is oriented toward consideration of bonds of loyalty, love and trust.[4]

In a similar vein, the caring and responsibility orientation stresses the context-related quality of the response. The actor may begin to think in concrete terms about the dilemma; this may lead him to invent a narrative account of the dilemma. In resolving the dilemma in this manner, the actor may entertain different approaches, involving elements of compromise and communication. The actor may also react by saying that the dilemma is relative to a particular concrete situation. This may make it difficult for her to respond with a prescriptive, or "should," reply. Interviewers, Lyons and Gilligan point out, have often assessed these types of responses from females as less morally developed because of this focus on the particulars of the situation.

Regarding use of prescriptive judgments, Gilligan and Lyons believe that female respondents will often speculate as to what the person(s) in the dilemma actually would do in response to their predicament. They, therefore,

tend to view the resolution to the dilemma in terms of rightness questions, and are more impelled by a consideration of psychological necessity than by considerations of moral sufficiency reflected in a "should," or prescriptive response.

The emphasis here is upon the actor's awareness of the interwoven networks of community between the characters in the dilemma. As a result, the actor also carries an "existential" awareness of what the protagonist in the dilemma really can do to ameliorate the difficulties in the dilemma. The actor is able to recognize the "necessary limits of universalistic responsibility in a world full of suffering."[5]

The caring orientation, as summarized above is found more often in females. For example, Lyons cites findings for one study where all females presented considerations of care with 37% failing to mention considerations involving rights. Interestingly, all of the males displayed rights-type considerations, with 36% of the males totally omitting care and response-type considerations. With respect to the two orientations the Lyons study concludes that, in responding to real-life moral dilemmas "individuals in this sample call upon and think about both care and justice considerations but use predominantly one mode which is related to but not defined to or confined to an individual by virtue of gender."[6]

Kohlberg's Response

In responding to Gilligan's critique of his theoretical and empirical assertions, Kohlberg addresses the issue of sex bias. Her critique of cognitive moral theory, as Kohlberg notes, is really a critique of recent and contemporary social psychology. Kohlberg maintains that he has been far less conclusive about any lack of moral development in females than Freud and Piaget. He and his collaborators contend that:

> . . .Gilligan points to the possibility of sex bias in Kohlberg's theory and measures, a bias presumably shared by his predecessors, Freud and Piaget. Unlike Freud and Piaget, however Kohlberg has never directly stated that males have a more developed sense of justice than do females. In several publications (Kohlberg, 1969; Kohlberg and Kramer, 1969) Kohlberg and Kramer did suggest that youthful and adult females might be less developed in his justice stage sequence than males might for the same reasons that working-class males were less developed than middle class males. He suggested that if women were not provided with the experience of participation in society's complex, secondary institutions through education and complex work responsibility, then they were not likely to acquire those societal role-taking abilities necessary for the development of Stage 4 and 5 justice reasoning.[7]

Kohlberg's theory and research, then, has never suggested that there is an inherent difference in male and female moral reasoning, especially one in which females tend to reach a lower level of moral development. The lower scores found by Kohlberg et al., in females are attributable to limited experiences females have had in participating in social and political institutions, in this view.

Gilligan's formulation of two different moral orientations and her specific charge that his recent (1983)

moral judgment Scoring Manual is not sensitive to the care and responsibility orientation also are addressed by Kohlberg. He and his collaborators respond that the "female" orientation does represent a useful enlargement of the moral domain. Such an enlargement is useful in making his theory of morality and moral development more complete. Kohlberg and collaborators argue this point by noting Frankena's assertation that notions of caring and concern figure into any adequate moral theory. They state that:

> Philosophers, such as Frankena (1973), have agreed with Gilligan in stating that there are two distinct principles or moral obligations, one of beneficence and care, the other of justice, and that both must be accounted for by a moral theory. Gilligan asserts, and Lyons (1982) documents, that it is these two different moral orientations that are reflected in sex differences in spontaneous ways of framing personal moral dilemmas.[8]

Kohlberg et al. accept, then, the validity of the claim by Gilligan et al., that an "orientation" of care and responsibility or concern provides a useful expansion of the moral domain. He has raised several theoretical and empirical issues however, with respect to Gilligan's claims.[9]

Regarding Gilligan's quantitative findings, Kohlberg notes several methodological problems which lead to a questioning of the statistical significance of the difference in male and female scores.[10] They raise questions about the lack of inter-judge and about test-retest reliability investigations and about her scoring system for

post-conventional responses. Kohlberg and his collaborators argue this, stating that:

> First, it is difficult for us to evaluate the importance of the Gilligan et al., study's findings because there are no inter-judge or test-retest reliability data available on a "point" matching scoring technique. Second, the act of classifying subjects on the basis of whether they did or did not utter a single post-conventional "point" is of unknown significance to us since the validity and reliability of the Kohlberg scale has been established by assigning individuals to a global or mixed stage score with the intent being to discover a longitudinal progression in such scores.[11]

Gilligan's primary study is flawed, in Kohlberg's view, on two accounts. Her failure to conduct inter-judge and test-retest reliability studies, which Kohlberg has done extensively, weakens the knowledge base Gilligan tries to build. Also, her scoring system, which assigns "points" to various subject/interviewee responses is overly simplistic for Kohlberg in that it fails to capture what Gilligan terms "conceptual integrity of a person's moral development."[12] For these reasons, Kohlberg doubts that the differences Gilligan found between male and female scores possess the significance she attributes to them.

These differences have led Gilligan to conclude that a sex bias is contained in Kohlberg's theory which, as she puts it, "reflects a limited Western male perspective and may therefore be biased against women and other groups whose moral perspectives are somewhat different."[13] An implication of this conclusion is that Kohlberg has been insensitive to the particular ways females construct

and react to moral issues. In his response, Kohlberg questions both the reliability of Gilligan's data (as illustrated above), and her positing of justice and care, two separate modes of thinking about moral issues as gender-related.

Kohlberg maintains, rather, that the justice and care modes or orientations are "interwoven." This claim actually receives some support from researchers collaborating with Gilligan, such as Lyons (1982), who found that a majority of interviewees utilized both orientations.[14] Kohlberg uses such findings to argue that both justice and care have had an important place in his theory and in his conception of mature morality. This is illustrated in his assertation that:

> The educational approach of our colleagues to stimulating moral judgment development is called the "just community" approach. Their work indicates that experiences of democratically resolving issues of conflicting rights are interwoven with considerations of community and considerations of caring and responsibility for the group and for each of its members. In our philosophic endpoint of moral reasoning, the hypothetical sixth stage, there occurs, we believe, an integration of justice and care which forms a single moral principle.[15]

In order to substantiate his claim that both caring and justice orientations function in human moralizing, Kohlberg cites research reviews which treat the issue of differences between males and females on his justice dilemmas and that of scoring women's responses accoring to justice stages.

Walker's Findings

Regarding the former issue, in a literature review of 54 studies employing the Moral Judgment Interview and 24 studies which employed Rest's (1979) Defining Issues Test, Walker (1982) investigated sex differences in moral reasoning. The Rest D.I.T. is a measure of moral judgment which is based on Kohlbergian techniques and which has been sanctioned by Kohlberg. Walker's conclusions consistently fail to note any significant sex differences in moral reasoning. He draws three sets of conclusions from studies he divides into the periods of adulthood and early adolescence; late adolescence and youth; and adulthood. For the first period he concludes that:

> There are 31 such studies involving a total of 2,879 subjects who ranged in age from about 5 years to 17 years. The pattern revealed is that sex differences in moral reasoning in childhood and early adolescence are infrequent; for the 41 samples, only six significant differences were reported. To summarize, sex differences in moral reasoning apparently are rare early in the life span and, when they occur, indicate more mature development for females, although even these infrequent differences are relatively small.[16]

Walker's conclusions for the period of late adolescence are similar to those of childhood. He reports that:

> There were 35 such studies, involving a total of 3,901 subjects who were mostly high school and university students. As was found earlier in the life span, sex differences in moral reasoning in late adolescence and youth are infrequent; only 10 of 46 samples yielded significant sex differences. . . .To summarize, sex differences in moral reasoning in late adolescence and youth are rare, as was the case earlier in development. In contrast to the data from childhood and early adolescence, however, most studies in which sex differences were attained indicate more mature development for males, although the differences once again, were small (i.e., less than half a stage).[17]

Walker, then, again finds no significant sex differences in moral reasoning scores. The presence of higher scores in some males, he notes, occurred predominantely in Moslem-Arab samples, which represent societies where women traditionally have low status and few opportunities for participation in social and educational institutions. The importance of such participation for moral development already has been noted by Kohlberg.

Walker's meta-analysis found somewhat less sex differences in adulthood. He reports that:

> There were 12 such studies, involving a total of 1,223 subjects who ranged in age from 21 years to 65 years. Sex differences in moral reasoning in adulthood are more frequent in this generation than in later generations. (It is impossible to separate developmental and cohort differences with these data). For the 21 samples considered, four significant differences were reported, all favoring men. . . .To summarize, it is apparent that sex differences in moral reasoning in adulthood are revealed only in a minority of studies, and even in those studies the differences tend to be small.[18]

The trend for insignificant sex differences is then also evident in the adult studies. Walker's analysis of research suggests that Gilligan's charge of sex bias in Kohlberg's theory and scoring procedures cannot be substantiated on an empirical basis. Walker specifically notes that Gilligan's charge that women tend to be assigned stage three scores, while men are assigned higher scores, is not substantiated by research. He cites research discounting this charge, explaining that:

> A widely shared assumption (initially stated by Kohlberg and Kramer, 1969) is that women fixate at Stage 3, whereas men progress to Stage 4, or as alleged by Gilligan (1982a, p. 70), "the thinking of women is often classified with that of children." Even among the studies that yielded some evidence of sex differences, there is no evidence in adulthood for such a claim. The modal stage for both men and women in the Holstein (1976) study and Haan et al., (1976) study (as reported by Haan et al., (1982) for a large subsample of their 47-50-year-old subjects) was stage 4, and the modal stage for both sexes in the Parikh (1980) study was stage 3. Thus, although sex differences may be reported in some studies, they tend not to be of the magnitude that has been suggested.[19]

Walker can find no evidence of sex bias in Kohlberg's current theory and research procedures. He concludes, then, that Gilligan's charge of sex bias cannot be substantiated. Kohlberg is justified in pointing to Walker's review and meta-analysis of research on sex differences in order to answer in Gilligan's charge. Kohlberg's conclusion that "studies comparing the sexes in justice reasoning stage either report to higher education and role-taking opportunity differences related to work"[20] is justifiable. Walker's review of research is methodologically sound and represents a statistical combination of a comprehensive series of studies on moral reasoning. None of his conclusions has been critically challenged.

Piagetian Criticism

Gilligan's reappraisal of Kohlberg's work also suggests that invariant sequence and structured wholeness will not be found in female samples and that women will tend to employ the caring orientation in their moral reasoning. Gilligan doubts the Piagetian assumptions because

of her belief that women will use the "female" orientation. Kohlberg argues persuasively that female moral reasoning is characterized by invariant sequence and structured wholeness. He does so by indicating several studies which documented the presence of these assumptions in female research samples. For instance, Kohlberg notes that:

> . . .the Snarey et al. , (1982) study provides the best data on this hypothesis. The same findings of invariant sequence and structured wholeness found in American males were found in this longitudinal study of both females and males. A second study showing upward movement and no stage skipping in females within the limits of test-retest reliability was the study by Erickson (1980). In addition, clinical analysis of the Snarey et al., data suggests that many females, as well as some males, made some use of Gilligan's caring and response orientation in response to our standard justice dilemmas. This fact, however, did not lead to down-scoring on the Standard Issue Scoring instrument which pulls for the justice orientation.[21]

The research Kohlberg cites suggests that female subjects express both invariant sequence and structured wholeness. Such conclusions have also been drawn by Walker.[22] Kohlberg, then, is merited in maintaining that his procedures for measuring justice reasoning are valid for both females and males.

The question of whether females prefer a particular orientation to moral dilemmas is more problematic for Kohlberg. Gilligan's conception of the female orientation is associated with her (1983) concentration upon judgments which consciously consider the involvement or implication of the self in situations where the welfare of others is

considered. These "others" tend to be friends and family. The obligations felt towards them here do not hinge upon rights or claims the other has involving the protection of his welfare. Gilligan makes these stipulations herself in her "alternative vision of the web of connection" which posits in a "vision of maturity the reality of interdependence."[23] Thus the formalistic criteria of universalizability, impartiality, etc., involve autonomous choices that do not speak to this vision.

Kohlberg, in response, grants that Gilligan is working from a moral perspective for several reasons. For example, Gilligan's moral judgments entail concern for other people's welfare, with feelings of responsibility or obligation toward these others. Additionally, Gilligan is describing a mode in which there is salient dialogue between all the actors in the situation. For these reasons, Kohlberg regards the caring orientation as significant. He, however, makes two stipulations. One is that the caring orientation is used by both sexes. This is suggested by several studies, including that of Lyons, and is a reasonable assumption for Kohlberg to make.

Another claim made by Kohlberg et al., is that the data collected from female respondents to the Moral Judgment Interview are consistent with the invariant sequence hypothesis, as opposed to what Gilligan's theory would predict. Gilligan's position is that the Moral Judgment Interview does not apply to females who use a

caring and response orientation in approaching moral dilemmas. The Piagetian assumption of structured wholeness and invariant sequence weaken Gilligan's claims that a unique moral orientation is used by females and that cognitive moral theory and its scoring instrument fail to account for it. Kohlberg's response, in fact, attempts to establish such a presence by citing studies which found the two Piagetian assumptions in females, as noted above. Kohlberg's rejoinder that the caring and response orientation complies with the structuralist assumptions in question appears sound. The studies he summarizes include male and female samples, and their assessment has been acknowledged as valid by critics such as Walker. Kohlberg argues, then, that while his scoring system "pulls" for the justice orientation, females and males who use the caring and response orientation are not downgraded for doing so. Such a claim suggests a position which both defends the validity of Kohlberg's justice reasoning test and acknowledges the legitimacy of Gilligan's moral orientation.

Kohlberg's Overall Response

Kohlberg and his collaborators have dealt effectively with Gilligan's charges of sex bias in cognitive moral theory. A final question Gilligan raises concerns the legitimacy of the caring orientation as an explanation of human moral behavior. Kohlberg has consistently reacted positively to this orientation, declaring that

it usefully expands the moral realm. He also has argued that cognitive moral theory, although justice-based, has successfully constructed its scoring or assessment procedures to account for the use of this orientation in both sexes. The problem remains, however, as to whether Kohlberg grants the caring orientation appropriate theoretical consideration.

The treatment by Kohlberg of the relationship of the caring and response orientation to his rights and justice orientation presents some difficulties. Until this point Kohlberg has not qualified his acceptance of an orientation such as Gilligan has hypothesized. His treatment of the Gilligan orientation is unclear, if not ambiguous. For instance,he responds to the question of the relation between the orientations by maintaining that their use is situation-specific, or at least, "relation"-specific. This is illustrated in the contention that:

> . . .we suggested that these orientations were not bipolar or dichotomous, but rather that the care and response orientation was directed primarily to relations of special obligations to family, friends, and group members, relations which often included or presupposed general obligations of respect, fairness, and contract.[24]

According to Kohlberg, therefore, the care and response orientation is typically used in handling a certain type of moral dilemma or situation. Within these situations or "relations of special obligations," Kohlberg tells us that elements of his own justice orientaion are employed.

His implication here is that the justice orientation is somehow embedded in the caring and response orientation. At the same time Kohlberg et al., distinguish the caring orientation in terms of the particular type of moral dilemma under consideration. The implication seems to be that the two orientations are one and the same and that they are not.

An additional inconsistency occurs in Kohlberg's citing of tentative findings of a study which attempted to isolate the caring and response orientation. To provide a setting or situation which Kohlberg had hypothesized as likely to entail use of the caring and response orientation, the study focused on Israeli women who were members of a kibbutz. The tentative findings were that the female response among these women was infrequent and both dilemma and stage-specific. The conclusions were that:

> . . .(a) the use of such a global orientation was rare, even in the female sample; (b) that when found it was dilemma-specific rather than occuring in all dilemmas (Form A was used in this study); and (c) that when found it was stage-specific (i.e., it was most likely to be found at the age at which the subject was "early conventional" or Stage 3, and would be replaced by a justice orientation at a higher stage.[25]

Whether the caring orientation is dilemma-specific (Stage three is thus a question which requires further investigation.

The overall problem, however, is that Kohlberg argues that the two moralities or orientations occur as a function of the situation, then immediately says that moral situations do not "pose a choice" between the

two orientations. Kohlberg says that:

> Related to the dichotomy between the justice and care orientations and linked to the dichotomy of gender, is our general view that many moral situations or dilemmas do not pose a choice between one or the other orientation, but rather call out a response which integrates both orientations. As an example of this observation, consider the fact that for most individuals the Heinz dilemma is not a dilemma of caring and response for Heinz's wife as opposed to a concern for justice considered vis-a-vis the druggist's property rights. Rather, the wife's right to life is often linked to a caring concern for her welfare and the druggist's right to property is often related to concerns about the welfare to persons in general and to society as a whole (i.e., to a concern about the impact of theft on the social fabric). In other words, it would appear that the concerns for justice and care are often hard to distinguish.[26]

In this argument, the two orientations spontaneously (and in an "integrated" way) appear in moral situations. These situations, Kohlberg implies, do not determine which orientation will be used, a reversal of his earlier position.

The position that the two moral orientations function in an "integrated" matter, however, is a useful stance for Kohlberg to take. More work needs to be done by both Kohlberg and Gilligan before conclusions about how the orientations relate to one another can be drawn. Kohlberg and his collaborators, for their part, have wavered in their treatment of this issue, but may be on the right track in maintaining that the orientations are integrated, at least at the post-conventional level.[27] Nonetheless, the primary theoretical question of whether Gilligan's work implies the existence of two separate

moralities remains. Such a claim would involve the existence of both a morality of generalized fairness and justice and a distinctly different morality of care. Kohlberg's stated position on this resists the notion of two opposing moralities. He maintains that: "In our view, special obligations of care presuppose but go beyond the general duties of justice, which are necessary but not sufficient for them."[28] Thus Kohlberg's rendition considers dilemmas which focus on interpersonal connectedness as dilemmas which underscore and enhance justice obligations. The suggestion here is that caring or special relationships are another facet or aspect of moral responsiveness. These considerations, Kohlberg has argued, do not clash with considerations of duties owed to others which result from individual's rights (which the standard dilemmas have focused upon).

Inherent here is the notion that the two moral orientations reinforce one another. In the Heinz dilemma, for instance, the husband's caring attitude reinforced his feeling of obligation or respect for her right to life. For this reason, the appearance of caring responses are treated by Kohlberg as supplements to, but not alternatives for, justice solutions posed. The ethic of care itself, then, is not considered to be able to resolve justice issues.

Such a handling places Gilligan's judgments of care and responsibility into a separate realm. The

The question of whether this is an adequate response to Gilligan arises. It is useful at this point to turn to Gilligan herself to determine if she recognizes such a distinction. In highlighting a caring that results from an understanding of the interconnections of people's lives, Gilligan emphatically stresses that these connections are not the products of systems of rules, but pivot upon "the perception of the fact of relationship."[29] As such, they are not the result of social contact, but are implicit in the relations she describes. In her examples of this difference in children's treatment of moral conflict she notes these two "voices." She, like Kohlberg, regards them as complementary and not sequential or opposed.[30] Yet she sees Kohlberg's orientation toward justice and autonomy as only a partial articulation of moral responsiveness, albeit one that is grounded in a long tradition in our society. This is illustrated in her contention that:

> The ideals of a liberal democratic society - of freedom and equality - have been mirrored in the developmental vision of autonomy, the image of the educated man thinking for himself, the image of the ideal moral agent acting alone on the basis of his principles, blinding himself with a Rawlsian "veil of ignorance," playing a solitary Kohlbergian game of "moral musical chairs."[31]

Gilligan attacks the issue from a perspective that orients toward the virtue of caring in an Eriksonian manner. Gilligan for this reason, has found it necessary to call for the incorporation of this perspective in developmental

schema, such as Kohlberg's. When integrated into a developmental understanding, this insight should spur the search for the antecedents of this "strength" in childhood and adolescence. Kohlberg, then, is to be faulted for characterizing moral development as the creation of an "order of equality" which "implies separation as the moral ideal - for everyone to stand alone, independent, self-sufficient, connected to others by the abstractions, of logical thought."[32]

Although Kohlberg accepts Gilligan's rendition of morality, he places it separate, yet alongside, the type of morality toward which his theory and scoring system are oriented. Furthermore, this separation does not occur along lines of gender either for Gilligan or Kohlberg. Gilligan, in fact, disclaims early in her book that the voice she is articulating is not one of gender but one of theme. As noted, she argues for a treatment of the two modes which admits that there are differing ways of imagining relationships. Given that their association with gender probably is the result of the different experiences of each, the real source of the differences is more a function of different types of thinking - "one relying on a formal logic whose development Piaget has described, the other on a narrative and contextual mode of thought whose development remains to be traced - . . ."[33] - as Gilligan puts it.

Kohlberg, on the other hand, responds to this distinction between modes of creating two "spheres" - one centering upon personal moral dilemmas and one that is not personal. The former speaks to Gilligan's conception of morality, and the second to his own, as typified in his justice dilemmas. This first sphere involves elements of relationships such as those described by Gilligan.

In laying out such a distinction Kohlberg could be giving himself the short shrift. If he relegates to the area of personal decision-making all moral reasoning which does not deal with justice dilemmas in a formalistic manner, fewer relevant human moral judgments will fall within the scope of the moral dilemmas used in his scoring system. While there clearly is a need to identify the Gilligan type of moral responses, an adequate response to her findings should consist of more than classifying dilemmas according to whether they are of the formalistic type (involving conflicting claims to rights in Frankena's sense) or are within the sphere of personal decision-making. This sphere, on the basis of how Kohlberg describes it, is widely used in personal decision-making, applicable to a vast amount of personal dilemma resolution.

This bifurcation is stronger than the distinction Gilligan makes in her own identification of two different moral languages (the language of rights and the language of responsibilities). She has worked out an explanatory

model that seeks to explain the interplay between the two, illustrated in her statement that:

> In dialogue, these languages not only create the ongoing tensions of moral discourse, but also reveal how the dynamics of separation and attachment in the process of identity formation relate to the themes of justice and care in moral growth.[34]

Additionally, she calls for a better and more subtle understanding of these differences, as well as to the need to map out and promote the growth of both modes.

Kohlberg begins to do that, in pilot research where justice reasoning and concerns of special obligations are interpreted in terms of how they reinforce one another. This research and the assumptions behind it show signs of constituting a viable way of integrating Gilligan's observations into a more inclusive model describing moral decision making. If, as Kohlberg suggests, a post-conventional level of justice reasoning is needed in order to recognize the difference between the two dilemmas, then most people cannot make the distinction.

If, for this reason, a relatively small proportion of the public is cognitively able to make this distinction, it nonetheless represents an effort for Kohlberg to functionally integrate the two moral senses. Kohlberg insists, however, that while Gilligan's "personal" morality is part of the moral domain, his own work in articulating stages of moral reasoning must focus upon justice. He maintains this while admitting that Gilligan's "ethic of care" often involves judgments and decisions which

have obligatory qualities not traceable to reasons of justice. Yet these "obligatory qualities" are granted a role in the resolution of dilemmas by Stage Five reasoners.[35] It would appear that they are, then, an integral component of post-conventional moral dilemma resolution.

In research, the use of the caring response to resolve dilemmas has been recognized and measured. Also the use of a caring and response orientation in post-conventional reasoners is beginning to be described by Kohlberg. He has begun to listen for this "different" voice and has expressed an openness to modifying and expanding the moral domain when he is convinced that it is necessary.

Since justice reasoning remains the focus for the standard hypothetical dilemmas and the scoring system, can a response or caring orientation ever be considered a primary orientation apart from the justice orientation?

Kohlberg has begun to investigate the use of a global care and response orientation.[36] Such research indicates that Kohlberg is at least sensitive to the use of the orientation, of care as well as to how it becomes integrated into the justice orientation.

In reacting in this manner to Gilligan's claims, Kohlberg has a willingness to modify his conception of morality. Kohlberg also has shown concern with developments in the area of sex-specific morality. For example,

he and his collaborators have followed the work of Nunner-Winkler, who has suggested that Gilligan's caring orientation (1977) involves Kantian "imperfect duties," while the orientation of justice involves "perfect duties." A review of Nunner-Winkler's critique of Gilligan and the response of Kohlberg et al., indicates that cognitive moralists have listened to the critique.

Nunner-Winkler explains the differences between the two types of Kantian duties by noting that:

> Perfect duties because they require only not (author's emphasis) to act, can at least in non-conflictual cases, be followed by everybody at any time and location and with regard to everybody (Gert, 1973). Imperfect duties, on the other hand, can never be observed completely. . .positive maxims do not define limits of their applications, do not specify which and how many good deeds have to be performed and whom they are to benefit so that the maxim can be said to have been followed.[37]

Thus, meeting the maxims of imperfect duties entails what Kant called Urteilskraft, or a power of judgment, as Nunner-Winkler recognizes. She uses such a distinction to explain Gilligan's "ethic of care," Nunner-Winkler's term for the caring orientation. Her central point is that Gilligan's ethic of care arises from a concern with imperfect duties, such as caring for others, feeling empathy with the other, and so on. In contrast, she regards the "justice ethic" of cognitive moral theory as orienting toward individual's rights and the protection of those rights. Upholding or maintaining such

rights, (such as the right to life) which at the level of principled morality are considered to have universal significance, closely corresponds to obeying perfect duties.

Such a treatment of the two "ethics" provides Nunner-Winkler with a constructive theoretical schema. It is constructive because it could seal the rift between the characteristic male and female approaches Gilligan has brought to attention and with which Kohlberg has struggled. If, as Nunner-Winkler suggests, females tend to respond to imperfect duties more than males (who tend to favor perfect duties), then there is no necessary difference in ethical position between the two moral approaches. They could be treated, rather, as variations in moral character and moral action. Male and female approaches to moral problems and issues, when seen as resulting from following perfect or imperfect duties, do not entail separate ethical orientations.

Such an argument is cogent and Kohlberg et al., do avail themselves to some, but not all, of its conclusions. They agree with Nunner-Winkler's conclusion that the perfect-imperfect duties schema weakens Gilligans contentions that the rights orientation excludes contextual or situational specifics. Their use of this argument is illustrated in the declaration that:

> It is precisely this consideration of contextual particularity that Gilligan sees as lacking in the ethic of rights and justice. Gilligan's equation of an orientation to imperfect duties with contextual particularity, Nunner-Winkler says, holds true only for a very specific aspect of Kant's moral position which is hardly shared by anyone; namely, that perfect duties allow for no exceptions. Such a position is not held by Kohlberg, she says, . . .even though he presents his construction of rights in such a misleading way that it does provoke the kind of criticism that Gilligan voices. . . .Therefore one cannot very well hold context orientations to be a feature to constitute contrasting approaches to morality. Context orientation is a prerequisite for all actual moral judgment.[38]

Kohlberg et al., then, makes productive use of Nunner-Winkler's critique of Gilligan. Gilligan, as noted by Nunner-Winkler, falsely assumes that only imperfect duties tend to consider situational or contextual matters. Nunner-Winkler recognizes that while cognitive moral theory is based upon a Kantian deontology and stresses justice reasoning, it recognizes the importance of "context orientation." Gilligan's theory, on the other hand, implies that cognitive moral theory is essentially one involving or advocating obedience to exceptionless, Kantian-type maxims, or "perfect duties."

Nunner-Winkler also recognizes that Kohlberg and his collaborators have been less than clear about their position on the two moral orientations. Kohlberg would do well to heed Nunner-Winkler's criticism. He accepts her interpretation of Gilligan in which she states that Gilligan is articulating sex-differences in terms of views or ideals of the good life. Here, Nunner-Winkler

asserts that females may tend to regard themselves related or interconnected to others by ego-interests and that males tend to employ more rules in such situations. Gilligan, therefore, in Nunner-Winkler's view, may be merely stating that males tend to obey perfect duties, while females, obey imperfect duties overall.

Nevertheless, Nunner-Winkler's own empirical research did not locate sex-differences in terms of following perfect or imperfect duties.[39] Instead of using Nunner-Winkler's claims and data to support a view that there may be a common morality or ethical underpinning to both male and female approaches to moral dilemmas and situations, Kohlberg relegates the female orientation to a different, even nonmoral, realm. This is illustrated in Kohlberg's summary statement of Nunner-Winkler, in which he states that:

> Nunner-Winkler's relating of an ethic of care to an ego interest or an ideal of the good life, rather than to morality in its strictly more other-regarding and universalizable sense, coincides with our statement that many of the judgments in his orientation are personal rather than moral in the sense of a formal point of view. Further research should attend to differences in what may be considered either "moral content" or moral style, but we believe it unlikely that such research will find divergent moral "hard" stage sequences for justice and care.[40]

Kohlberg and collaborators thus conclude that "many" judgments in the ethic of care are not "moral," as they view morality. This is problematic in that it does not take into account that Nunner-Winkler has specifically

collected data on female responses to moral dilemmas. Although different from male responses in ways noted above, there was no tendency to transform these into "personal" as opposed to "moral" dilemmas of issues by the female respondents, as Kohlberg et al. seem to imply. Furthermore, Kohlberg's reaction is consistent with a tendency to separate the orientations Gilligan has hypothesized and Nunner-Winkler has rephrased. On a philosophic level, Kohlberg does not respond by altering his predication of justice reasoning as primary. While Gilligan has incorporated a few of the correlates of the justice emphasis, such as admitting moral maturity may involve autonomous and principled decision-making factors, she has not developed a philosophical critique. The absence of a philosophic framework limits analysis of Gilligan's work by comparisons with Kohlberg's moral philosophy. Strains of thought in the deontic ethics Kohlberg subscribes to could possibly address caring and concern in ways that are amenable to Gilligan's position, but that have remained unexplored by her.

Overall, Kohlberg's reaction to critiques such as Gilligan's is problematic. His positing of two "spheres" of morality seems to dichotomize rather than synthesize or integrate, the two moral orientations. A general responsiveness to Gilligan (both theoretically and empirically), nevertheless has suggested a willingness to expand the moral domain and make it more inclusive in its articulation of human moral decision-making.

FOOTNOTES

[1]Carol Gilligan, "New Maps of Development: New Visions of Maturity," American Journal of Orthopsychiatry, 52, No. 2 (1982), p. 200.

[2]Gilligan, "New Maps of Development" pp. 200-201.

[3]Kohlberg, et al., Moral Stages: A Current Formulation and a Response to Critics, (New York: Karger, 1983), p. 330. v. Nona Lyons, "Manual for Coding Real-Life Dilemmas," MS. Harvard University, 1981.

[4]v. Lyons, "Manual for Coding Real-Life Dilemmas."

[5]Nona Plessner Lyons, "Two Perspectives: On Self, Relationships and Morality," Harvard Educational Review, 53, No. 2 (1983), p. 139.

[6]Lyons, "Two Perspectives;"p. 139.

[7]Kohlberg et al., Moral Stages, p. 122.

[8]Kohlberg et al., Moral Stages, p. 123.

[9]Kohlberg et al., Moral Stages, p. 122.

[10]v. Gilligan, C., et al., "Contribution of Women's Thinking to Developmental Theory: The Elimination of Sex Bias in Moral Development Theory and Educational Theory." Final Report to the National Institute of Education, 1982.

[11]Kohlberg et al., Moral Stages, p. 124.

[12]Gilligan et al. p. 36.

[13]Gilligan et al., p. 36.

[14]Nona Lyons, "Conceptions of Self and Morality and Modes of Moral Choice: Identifying Justice and Care in Judgements of Actual Moral Dilemmas." Unpublished diss., Harvard Univ., 1982.

[15]Kohlberg et al., Moral Stages, p. 126.

[16]Lawrence J. Walker, "Sex Differences in the Development of Moral Reasoning: A Critical Review," Child Development, 1984, 55, p. 680.

[17]Walker, pp. 681-2.

[18]Walker, p. 687.

[19]Walker, pp. 682-3.

[20]Kohlberg et al., Moral Stages, p. 130.

[21]Kohlberg et al., Moral Stages, p. 130.

[22]Walker, p. 687.

[23]Gilligan, "New Maps of Development," p. 211.

[24]Kohlberg et al., Moral Stages, p. 131.

[25]Kohlberg et al., Moral Stages, p. 132.

[26]Kohlberg et al., Moral Stages, p. 134.

[27]Kohlberg et al., Moral Stages, pp. 134-8. Interview samples in which both orientations appear to occur are cited here.

[28]Kohlberg et al., Moral Stages, p. 139.

[29]Carol Gilligan, In a Different Voice (Cambridge, MA: Harvard Univ. Pr., 1982), p. 2.

[30]Gilligan, "New Maps of Development," p. 209.

[31]Gilligan, "New Maps of Development," p. 209.

[32]Gilligan, "New Maps of Development,"p. 210.

[33]Gilligan, "New Maps of Development," p. 210.

[34]Gilligan, "New Maps of Development," p. 210.

[35]Ralph Mosher, Value Development. . .as the Aim of Education (Schenectady, NY: Character Research Pr., 1978), p. 72.

[36]Kohlberg et al., Moral Stages, p. 132.

[37]Gertrud Nunner-Winkler, "Two Moralities? A Crucial Discussion of an Ethic of Care and Responsibility Versus an Ethic of Rights and Justice," in Morality, Moral Behavior and Moral Development, ed., William Kurtines and Jaboc Gewirtz (NYC: John Wiley and Sons, 1984), p. 349.

[38]Kohlberg et al., Moral Stages, p. 140.

[39]Nunner-Winkler, p. 359, Table 19.2.

[40]Kohlberg et al., Moral Stages, p. 141.